



## REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/197,056
Filing Date	November 20, 1998
First Named Inventor	Russell et al.
Group Art Unit	1633
Examiner Name	M. Wilson
Attorney Docket Number	07039-416001

### This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**NOTE:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

#### 1. Submission required under 37 C.F.R. §1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply (10 pages)
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

#### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other \_\_\_\_\_

#### 3. Fee The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1050
- i. ☒ RCE fee required under 37 C.F.R. §1.17(e) 01 FC:279 370.00 OP
- ii. ☒ Extension of time fee (37 C.F.R. §§1.136 and 1.17)
- iii. ☒ Other Any deficiencies
- b. ☒ Checks in the amount of \$ 370 (RCE fee) and \$720 (4-Month Extension of Time Fee) are enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	J. Patrick Finn III, Ph.D.	Registration No. (Attorney/Agent)	44,109
Signature	<i>[Signature]</i>	Date	September 12, 2002

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to **Commissioner for Patents, Box RCE, Washington, DC 20231** or facsimile transmitted to the U.S. Patent and Trademark Office on: September 12, 2002

Name (Print/Type)	Judy Wasilkus	Date	September 12, 2002
Signature	<i>[Signature]</i>		

RECEIVED

SEP 27 2002

TECH CENTER 1600/2900

#266  
dia  
9/27/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

SEP 27 2002

TECH CENTER 1600/2900

Applicant : Russell et al.  
Serial No. : 09/197,056  
Filed : November 20, 1998  
Title : EXPRESSION OF IMMUNOGENIC SUBSTANCES

Art Unit : 1633  
Examiner : M. Wilson

BOX RCE  
Commissioner for Patents  
Washington, D.C. 20231

RESPONSE

In response to the action mailed September 12, 2001, please amend the application as follows:

In the specification:

Please replace the paragraph beginning at page 7, line 12 with the following rewritten paragraph:

e1  
--Figures 2A and 2B show representative results confirming the regulation of the chTCR gene expression by tetracycline analogs. In Figure 2A, stable transfected uncloned JLAV12S (left hand side) and JN3S Jurkat (right hand side) cell populations were cultured for 48 hours in tetracycline-free medium (CM, upper row of panels) or in the presence of 1 µg/ml of Tet (broken line) or Dox (solid line) (lower row of panels) and the surface expression of chTCRs was examined after staining with FITC-conjugated goat antisera to mouse λ light chain. Figure 2B shows a timecourse of inactivation of chTCR gene expression in JLAV12S cells zero hours (top left), 8 hours (top right), 12 hours (bottom left) or 24 hours (bottom right) after addition of Dox at 1 µg/ml. In both Figures 2A and 2B negative controls (FITC-conjugated goat antisera to

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit September 12, 2002  
Signature Judy Wasilkus

Judy Wasilkus  
Typed or Printed Name of Person Signing Certificate

09/24/2002 RHARIS1 00000133 09197056  
02 FC:218 720.00 0P